

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

KEITH PAULEY and SUSAN PAULEY,

*Plaintiffs,*

v.

CIVIL ACTION NO. 3:18-cv-01508

CNE POURED WALLS, INC., an  
Ohio corporation, and PARSONS  
CONTRACTING, LLC, a West  
Virginia limited liability company,

*Defendants.*

**PLAINTIFFS' MOTION TO COMPEL AND**  
**MOTION FOR LEAVE TO SERVE INTERROGATORIES IN**  
**EXCESS OF TWENTY-FIVE**

Pursuant to the provisions of R. Civ. P. 33 and 37(a), Plaintiffs, Keith and Susan Pauley [“Plaintiffs”], certifying that they have conferred in good faith with Defendant, CNE Poured Walls, Inc., [“Defendant”], prior to doing so, files their Motion to Compel requesting entry of an order directing full and complete responses to PLAINTIFFS’ FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT AND REQUESTS FOR ADMISSION; Motion for Leave to Serve Interrogatories in Excess of Twenty-Five; and for an award of their reasonable fees and costs incurred about the preparation and prosecution of their Motion to Compel.

Defendants refused to answer Interrogatory Nos. 26 through 32, but it also refused to answer some of Interrogatory Nos. 1 through 25. Moreover, although more than the limit provided under the civil rules were propounded, only seven additional Interrogatories were served, and all are narrowly targeted at eliciting very relevant information in this litigation not available from other sources.

WHEREFORE, for reasons more fully set forth in a Memorandum of Law filed contemporaneously herewith, Plaintiffs respectfully request entry of an order directing full and complete responses to PLAINTIFFS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT AND REQUESTS FOR ADMISSION, including Interrogatory Nos. 26 through 32, and for an award of their reasonable fees and costs incurred about the preparation and prosecution of their Motion.

**KEITH AND SUSAN PAULEY**

By Counsel



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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2019, I electronically filed PLAINTIFFS' MOTION TO COMPEL AND MOTION FOR LEAVE TO SERVE INTERROGATORIES IN EXCESS OF TWENTY-FIVE with the Clerk of the Court using the CM/ECF system and that I have mailed the document by United States Postal Service to the following non-CM/ECF participants:

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